



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C. 11/17/03 Item: 3.c

File Number:
GP03-01-02

Council District and SNI Area:
1 - N/A

Major Thoroughfares Map Number:
82

Assessor's Parcel Number(s):
303-33-020; -021; -022; -023; -024

Project Manager: Lesley Xavier

GENERAL PLAN REPORT

2003 Fall Hearing

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to General Commercial.

LOCATION: Northwest corner of Arcadia Drive and Ardis Avenue

ACREAGE: 0.91

APPLICANT/OWNER:

Hooshang Homara/Various

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Medium Low Density Residential (8 DU/AC)

Proposed Designation: General Commercial

EXISTING ZONING DISTRICT(S): R-1-8: Single-Family Residential

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Stevens Creek European Auto dealership – General Commercial

South: Multi-Family and Single-Family Residential – Medium High Density Residential (12-25 DU/AC) and Medium Low Density Residential (8 DU/AC)

East: Volkswagen/Pontiac Auto Dealership – General Commercial

West: Various commercial uses – General Commercial

ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration adopted on October 20, 2003

PLANNING STAFF RECOMMENDATION:

General Commercial on an expanded 1.11 acre site.

Approved by:

Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Transportation (DOT) – No long-term traffic impact.

GENERAL CORRESPONDENCE:

- None received.

ANALYSIS AND RECOMMENDATIONS:

PROJECT DESCRIPTION

This is a privately initiated General Plan amendment request to change the Land Use/Transportation Diagram from Medium Low Density Residential (8 DU/AC) to General Commercial on a 0.91-acre site located at the northwest corner of Arcadia Drive and Ardis Avenue.

The subject site's current General Plan land use designation of Medium Low Density Residential (8 DU/AC) is typified by 6,000 square foot lots, and is the density at which the majority of San Jose's single-family housing has been built. The proposed land use designation of General Commercial is intended to permit a variety of commercial uses, including strip commercial areas, freestanding commercial buildings, business and professional offices.



Amendment site along Arcadia Drive, towards the western boundary

BACKGROUND

An application for a Special Use Permit (File No. SP03-008) is currently under review for the parcel located on the northwest corner of Arcadia Drive and Ardis Avenue (APN: 303-33-020)(see Aerial Exhibit on the following page). This Special Use Permit was filed by the property owner in order to permit the demolition of a single-family residence and the construction of an "off-site" employee and customer parking lot to serve the Stevens Creek European auto sales dealership located adjacent to the northern boundary of the site. The adoption of the proposed General Plan amendment must occur in order to allow the approval of a parking facility on the site.



The single-family residence located at the eastern boundary of the subject site with the Stevens Creek European auto dealership's white building in the background.

The Stevens Creek European auto sales dealership has also been the subject of various code violations. Complaints that have been filed include overflow storage of auto dealership cars in the neighborhood, and paving more than 50% of the front yard of the parcel under the Special Use Permit. The latter issue has

since been rectified; they have removed the paving, but have not landscaped. In addition, it has also been alleged, but not verified, that this dealer's customers test-drive cars through the neighborhood.

The same single-family residential parcel located on the northwest corner of Arcadia Drive and Ardis Avenue was the subject of a 1999 Conditional Use Permit (File No. CP99-12-073) to allow the demolition of the single-family residence and conversion of that lot to an off-site parking lot for an existing auto sales dealership. This application was denied on appeal by the City Council based on the fact that the expansion of the auto sales dealership was inconsistent with the Medium Low Density Residential (8 DU/AC) General Plan land use designation on the site.

Site and Surrounding Uses

The four subject parcels are located on the north side of Arcadia Drive, west of Ardis Avenue. Three single-family residences and a parking lot (serving commercial business fronting on Stevens Creek Boulevard) are located on the subject site. Uses surrounding the site include the Stevens Creek European auto sales dealership to the north, Volkswagen/Pontiac auto sales dealership to the east, and single-family and multi-family residences to the south and commercial uses to the west. (See Aerial Exhibit.)



Aerial Exhibit

ANALYSIS

The applicant has requested to change the land use designation on a 0.91-acre site that is comprised of four parcels. Staff is recommending expanding the site to include a fifth parcel just west of the amendment site (see Aerial Exhibit). The additional parcel is land locked (i.e. no public street access) and is currently used as a parking lot for commercial uses on Stevens Creek Boulevard. Therefore, the expansion of the General Commercial land use designation on this 0.2-acre parcel would reflect the existing use.

Adjacent Car Lot

The Volkswagen/Pontiac auto sales dealership located adjacent to the subject site on the east side of Ardis Avenue was the subject of a similar General Plan amendment in 1987 (File No. GP87-01-02). The amendment changed the land use designation on the site from Medium Density Residential (8 DU/AC) to General Commercial in order to allow the expansion of the auto sales dealership. This dealership also had a history of similar code violations consisting of activities impacting the adjacent neighborhood. The site was also constrained for commercial development because of the shallow depth of the lot and the proximity of the single-family neighborhood. Subsequent to the General Plan amendment approval a Planned Development Zoning and Planned Development Permit were approved. These permits allowed for the current development on the site including the demolition of single-family homes, the construction of a masonry wall and landscaping setback 20 feet from the interface with the neighborhood, landscaping improvements along Stevens Creek Boulevard, and that the property owner maintain an off-site loading area.

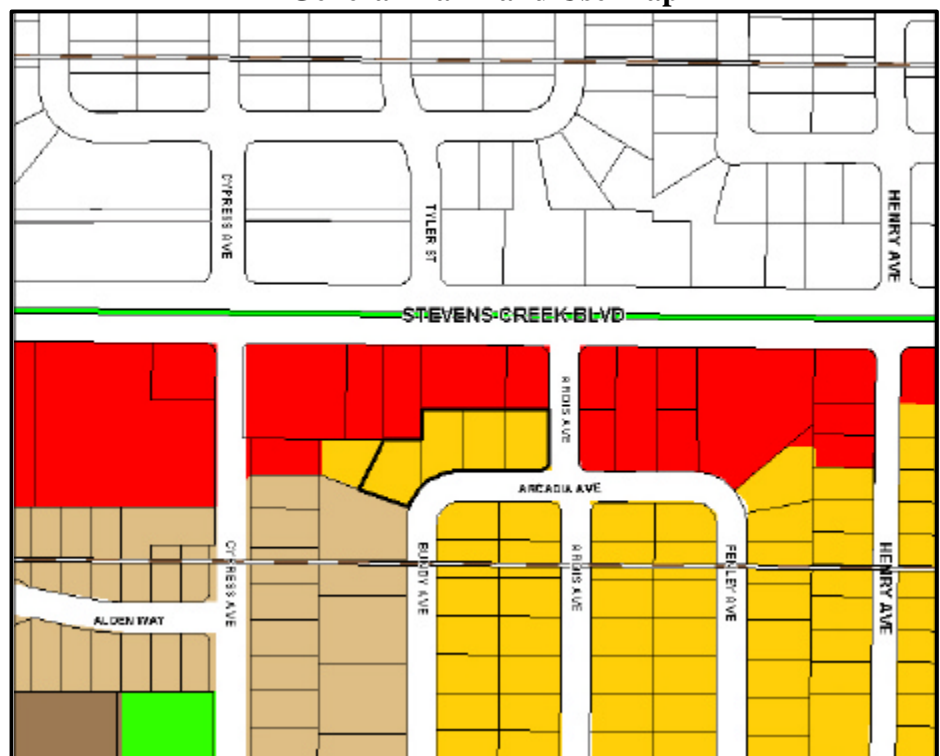
Land Use Compatibility/Policy Consistency

The proposed amendment is consistent with the General Plan Goals and Policies. General Plan Economic Development Goal No. 2 states that the City should create a stronger municipal tax base by obtaining a greater share of commercial development and by nurturing and encouraging expansion of existing commercial development. General Plan Commercial Land Use Policy No. 14 allows for the expansion of existing commercial development within residential neighborhoods when such development is small scale and compatible with the adjacent neighborhood.

Urban Design Policy No. 22 states that the design guidelines adopted by the City Council should be followed in the design of development projects. The Commercial Design Guidelines should be applied through the review of any new development on the site, including the

pending Special Use Permit on a portion of the site, to ensure that new proposed commercial development or the expansion of existing commercial development is compatible with, and buffered from, the adjacent

General Plan Land Use Map



residential neighborhood. This can be accomplished through appropriate setbacks, landscaping and fencing, similar to the design of the rear of the auto dealership across Ardis Avenue to the east.

Residential Land Use Policy No. 2 states that residential neighborhoods should be protected from the encroachment of incompatible activities or land uses. In particular those uses that generate significant amounts of traffic should be located where they can take primary access from an arterial street.

Commercial land uses are generally compatible with residential land uses as long as development can be a good neighbor. If new development on the subject site follows the Commercial Design Guidelines and takes access from Stevens Creek Boulevard, then the development could be a good neighbor. The subject site currently does not take access from an arterial street, however if the parcels were consolidated with the commercial development to the north, the access could be taken from Stevens Creek Boulevard.

The amendment site is also located within the Stevens Creek Boulevard/West San Carlos Street Transit Oriented Development (TOD) Corridor. TOD Corridors are areas designated as generally suitable for higher residential densities, for more intensive non-residential uses, and for mixed uses. In the short term, the General Plan amendment would facilitate expansion of the existing auto dealership on a single site, which is not a particularly intense, transit-oriented commercial use. However, in the long term, having an expanded area of the General Commercial land use designation would make the site more viable for future redevelopment as an intense, commercial or mixed use development.

In addition to the proposed General Plan amendment, new commercial uses on the site or the expansion of existing uses from Stevens Creek Blvd will be subject to additional review by the City. Any commercial use other than parking facilities in compliance with the code requirements for parking facilities in residence districts will require the rezoning of the property to a Commercial designation. This includes any expansion of the auto dealership use or conversion of the existing residences for commercial or office purposes.

Conclusion

The proposed land use change from Medium Density Residential (8 DU/AC) to General Commercial is consistent with the goals and policies of the General Plan, therefore staff recommends approval of the proposed amendment on the expanded 1.11 acre site.

Environmental Issues

The proposed change in the General Plan land use designation on the subject site was analyzed in an initial study that resulted in a Mitigated Negative Declaration. The initial study determined that the change in land use would create a less than significant impact with mitigation measures in the following categories:

- Aesthetics
- Geology and soils
- Land Use and Planning

All of the mitigation measures consist of the implementation of existing General Plan policies at the zoning and development permit stages.

PUBLIC OUTREACH

The property owners within the amendment site boundaries and/or property owners within a 1000-foot radius of the amendment site were sent an invitation regarding the two community meetings that were held on October 14th and 15th, 2003 to discuss the proposed General Plan amendment. They also received notice regarding the public hearings to be held on the subject amendment before the Planning Commission in November and City Council in December. In addition, the community can be kept informed about the status of amendments on the Department's web-site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing schedule. No comments were received in regards to this amendment at the community meetings or in other forms of communication.

RECOMMENDATION

Planning staff recommends General Commercial on an expanded site of 1.11 acres.

Attachments

PBCE002/GP_Team/2003 Annual Review/GP03-01-02/Staff Reports/GP03-01-02.sr